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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,237	08/26/2003	Jerromy Laverne Johnson	11857.67	6004
68348 7590 06/11/2008 HAYNES AND BOONE, LLP 901 MAIN STREET SUITE 3100 DALLAS, TX 75202-3789				
EXAMINER				
RAJ, RAJIV J				
ART UNIT		PAPER NUMBER		
3626				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/649,237

Applicant(s)

JOHNSON ET AL.

Examiner

RAJIV J. RAJ

Art Unit

3626

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)
- Paper No(s)/Mail Date 05 February 2004
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on 26 August 2003.
2. Claims 1-20 are currently pending and have been examined.

Information Disclosure Statement

3. The Information Disclosure Statement filed on 05 February 2004 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 9 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The limitations of claim 9 are data structures that are not claimed as embodied in computer-readable media, and therefore are not statutory because they are not capable of causing functional changes in the computer. Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. Dependent claims 10-14 fail to cure this deficiency of claim 9, and thus are rejected on the same grounds. (MPEP § 2106.01)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claims 1-5, and 7-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rieker (US 5832447) (hereinafter Rieker) in view of Bosco et al. (US 5191522) (hereinafter Bosco).
9. **Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim 1

Rieker as shown, discloses the following limitations:

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- *providing a plurality of interrelated tables;* (see at least Rieker Fig:9 A-D & related text)
- *providing a first key reference in one table, the first key reference identifying a first specific group of the variables;* (see at least Rieker Fig:9 B-D Items:400, 600, 700 & related text)
- *matching the first key reference to another table,* (see at least Rieker Fig:7B Item:266 & related text)
- *the first key reference identifying a second specific group of variables and a plurality of additional key references; and* (see at least Rieker Fig:9B Item:400-466 & related text)

Rieker does not disclose the following limitations, however Bosco, as shown does:

- *providing a plurality of policy variables for each table;* (see at least Bosco Column:8 Lines:42-51)
- *matching the plurality of additional key references to a plurality of respective additional tables to determine a deductible for a related policy* (see at least Bosco Column:9 Lines:10-18)

It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker. One of ordinary skill in the art would have added these features into Rieker with the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

Claim 2

The combination of Rieker/Bosco disclose all of the limitations of claim 1. Rieker further discloses the following limitation:

- *in the one table, providing a geographical variable, a transaction variable and an effective policy date variable* (see at least Rieker Fig:10 A-B & related text)

Claim 3

The combination of Rieker/Bosco disclose all of the limitations of claim 2. Bosco further discloses the following limitation:

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- *in the another table, providing an old deductible variable and a new deductible variable* (see at least Bosco Column:7 Lines:58-62, column:9 Lines:43-45, Fig:10 & related text)

It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker/Bosco. One of ordinary skill in the art would have added these features into Rieker/Bosco with the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

Claim 4

The combination of Rieker/Bosco disclose all of the limitations of claim 3. Bosco further discloses the following limitation:

- *in one of the additional tables, providing variables distinguishing deductibles available to the policies* (see at least Bosco Column:11 Lines:42-59)

It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker/Bosco. One of ordinary skill in the art would have added these features into Rieker/Bosco with the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

Claim 5

The combination of Rieker/Bosco disclose all of the limitations of claim 3. Bosco further discloses the following limitation:

- *in another of the additional tables, providing variables identifying movement from an old deductible to a new deductible* (see at least Bosco Column:7 Lines:58-62)

It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker/Bosco. One of ordinary skill in the art would have added these features into Rieker/Bosco with the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

Claim 7

The combination of Rieker/Bosco disclose all of the limitations of claim 1. Bosco further discloses the following limitation:

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- *another table controls each variable used to distinguish an old deductible variable from a new deductible variable* (see at least Bosco Column:7 Lines:58-62& Column:9 Lines:43-45)

It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker/Bosco. One of ordinary skill in the art would have added these features into Rieker/Bosco with the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

Claim 8

The combination of Rieker/Bosco disclose all of the limitations of claim 7. Rieker further discloses the following limitation:

- *the additional tables respectively provide variables distinguishing deductibles available to the policies and identifying movement from an old deductible to a new deductible* (see at least Rieker Fig:7G Items:366-370 & related text)

Claim 9

Rieker as shown, discloses the following limitations:

- *a plurality of interrelated tables;* (see at least Rieker Fig:9 A-D & related text)
- *the variables in a first table including a geographical variable, a transaction variable and an effective policy date variable;* (see at least Rieker Fig:10 A-B & related text)
- *the variables in an additional table identifying movement from an old deductible to a new deductible* (see at least Rieker Fig:7G Item:366-370 & related text)

Rieker does not disclose the following limitations, however Bosco, as shown does:

- *a plurality of policy variables in each table;* (see at least Bosco Column:8 Lines:42-51)
- *the variables in another table including old deductible variables and new deductible variables;* (see at least Bosco Column:7 Lines:58-62, Fig:10 & related text)
- *the variables in a further table distinguishing deductibles available to the policies;* (see at least Bosco Column:11 Lines:42-59)

It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker. One of ordinary skill in the art would have added these features into Rieker with the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

Claim 10

The combination of Rieker/Bosco disclose all of the limitations of claim 9. Rieker further discloses the following limitation:

- *the first table includes a first key reference* (see at least Rieker Fig:9A Items:500-502 & related text)

Claim 11

The combination of Rieker/Bosco disclose all of the limitations of claim 10. Rieker further discloses the following limitation:

- *the first key reference identifies a first specific group of variables* (see at least Rieker Fig:9 B-D Items:400, 600, 700 & related text)

Claim 12

The combination of Rieker/Bosco disclose all of the limitations of claim 11. Rieker further discloses the following limitation:

- *the first key reference is matched to the another table* (see at least Rieker Fig:7B Items:266 & related text)

Claim 13

The combination of Rieker/Bosco disclose all of the limitations of claim 12. Rieker further discloses the following limitation:

- *the first key reference identifies a second specific group of variables and a plurality of additional key references* (see at least Rieker Fig:9B Items:400-466 & related text)

Claim 14

The combination of Rieker/Bosco disclose all of the limitations of claim 13. Bosco further discloses the following limitation:

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- *the plurality of additional key references are matched to a plurality of respective additional tables to determine a deductible for a related policy* (see at least Bosco Column:9 Lines:10-18)

It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker/Bosco. One of ordinary skill in the art would have added these features into Rieker/Bosco with the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

Claim 15

Rieker as shown, discloses the following limitations:

- *a storage device storing a program;* (see at least Rieker Fig:3 Items:100, 150B, Fig:4 Items:172 & related text)
- *a processor coupled to the storage device* (see at least Rieker Fig:3 Items:100, 150B, Fig:4 Items:172 & related text)
- *operative with the program for processing data in a plurality of interrelated tables;* (see at least Rieker Fig:300 Items:100,110 Fig:9 A-D & related text)
- *the variables in a first table including a geographical variable, a transaction variable and an effective policy date variable;* (see at least Rieker Fig:10 A-B & related text)
- *the variables in an additional table identifying movement from an old deductible to a new deductible* (see at least Rieker Fig:7G Item:366-370 & related text)

Rieker does not disclose the following limitations, however Bosco, as shown does:

- *a plurality of policy variables in each table;* (see at least Bosco Column:8 Lines:42-51)
- *the variables in another table including old deductible variables and new deductible variables;* (see at least Bosco Column:7 Lines:58-62, Fig:10 & related text)
- *the variables in a further table distinguishing deductibles available to the policies;* (see at least Bosco Column:11 Lines:42-59)

It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker. One of ordinary skill in the art would have added these features into Rieker with

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the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

Claim 16

The combination of Rieker/Bosco disclose all of the limitations of claim 15. Rieker further discloses the following limitation:

- *the first table includes a first key reference* (see at least Rieker Fig:9A Items:500-502 & related text)

Claim 17

The combination of Rieker/Bosco disclose all of the limitations of claim 16. Rieker further discloses the following limitation:

- *the first key reference identifies a first specific group of variables* (see at least Rieker Fig:9 B-D Items:400, 600, 700 & related text)

Claim 18

The combination of Rieker/Bosco disclose all of the limitations of claim 17. Rieker further discloses the following limitation:

- *the first key reference is matched to the another table* (see at least Rieker Fig:7B Items:266 & related text)

Claim 19

The combination of Rieker/Bosco disclose all of the limitations of claim 18. Rieker further discloses the following limitation:

- *the first key reference identifies a second specific group of variables and a plurality of additional key references* (see at least Rieker Fig:9B Items:400-466 & related text)

Claim 20

The combination of Rieker/Bosco disclose all of the limitations of claim 19. Bosco further discloses the following limitation:

- *the plurality of additional key references are matched to a plurality of respective additional tables to determine a deductible for a related policy* (see at least Bosco Column:9 Lines:10-18)

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It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker/Bosco. One of ordinary skill in the art would have added these features into Rieker/Bosco with the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

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10. Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rieker in view of Bosco in further view of Garrett et al. (US 5325291) (hereinafter Garrett).

Claim 6

The combination of Rieker/Bosco disclose all of the limitations of claim 1. Garrett further discloses the following limitation:

- *the plurality of additional key references are matched to a plurality of respective additional tables to determine a deductible for a related policy* (see at least Garrett Fig:5,6 & related text)

It would have been obvious to one of ordinary skill in the art to add the features of Bosco into Rieker/Bosco. One of ordinary skill in the art would have added these features into Rieker/Bosco with the motivation of providing a more efficient and effective method for managing insurance related costs. (see at least Bosco Column:3 Lines:25-45)

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Conclusion

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Rajiv J. Raj** whose telephone number is **571-270-3930**. The Examiner can normally be reached on Monday-Friday, 7:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Luke Gilligan** can be reached at **571 272-6770**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov> >. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

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Date: 06/03/08

/Rajiv J Raj/ Patent Examiner Art Unit 3626

/C Luke Gilligan/

Supervisory Patent Examiner, Art Unit 3626